AMENDMENTS TO THE CLAIMS:

1. (cancelled)

2. (previously presented) A heat exchanger construction comprising:

a header plate including an interior side, an exterior side, and a plurality of tube openings spaced along a first axis and extending between the interior and exterior sides;

a plurality of elongated flat tubes, each tube having a pair of opposed long sides and a pair of opposed short sides, each of the tubes having an end received in one of the tube openings extending past the interior side, each end including a pair of long edges defined by the long sides, each tube having a cut in each of its short sides extending from the end to adjacent the interior side of the header plate, each tube having a bend formed in each of the long sides of the tube adjacent the cut so that the long edges of the tube are adjacent the long edges of the tubes on either side of the tube wherein the length of each of the long sides extending past the interior side of the header plate is approximately equal to half of the distance between the tube openings.

3-5. (cancelled)

6. (previously presented) A heat exchanger construction comprising:

a header plate including an interior side, an exterior side, and a plurality of tube openings spaced along a first axis and extending between the interior and exterior sides;

a plurality of elongated flat tubes, each tube having a pair of opposed long sides and a pair of opposed short sides, each of the tubes having an end received in one of the tube openings extending past the interior side, each end including a pair of long edges defined by the long sides, each tube having a cut in each of its short sides extending from the end to adjacent the interior side of the header plate, each tube having a bend formed in each of the long sides of the tube adjacent the cut so that the long edges of the tube are adjacent the long edges of the tubes on either side of the tube wherein the long edges of each tube are overlapped with the long edges of the tubes on either side of the tube.

7. (previously presented) A heat exchanger construction comprising:

a header plate including an interior side, an exterior side, and a plurality of tube openings spaced along a first axis and extending between the interior and exterior sides;

a plurality of elongated flat tubes, each tube having a pair of opposed long sides and a pair of opposed short sides, each of the tubes having an end received in one of the tube openings extending past the interior side, each end

including a pair of long edges defined by the long sides, each tube having a cut in each of its short sides extending from the end to adjacent the interior side of the header plate, each tube having a bend formed in each of the long sides of the tube adjacent the cut so that the long edges of the tube are adjacent the long edges of the tubes on either side of the tube; and

a tank surrounding the interior side and the tube ends and including an inlet opening for a working fluid, and wherein for each adjacent pair of long edges the long edge of the tube closer to the inlet opening overlays the long edge of the next tube further from the inlet opening.

8-10. (cancelled)

11. (new) A heat exchanger construction comprising:

a header plate including an interior side, an exterior side, and a plurality of tube openings spaced along a first axis and extending between the interior and exterior sides;

a plurality of elongated flat tubes, each tube having a pair of opposed long sides and a pair of opposed short sides, each of the tubes having an end received in one of the tube openings extending past the interior side, each end including a pair of long edges defined by the long sides, each tube having a cut in each of its short sides extending from the end to adjacent the interior side of

the header plate, each tube having a bend formed in each of the long sides of the tube adjacent the cut so that the long edges of the tube are adjacent the long edges of the tubes on either side of the tube with little or no gap between the long edges.

12. (new) The heat exchanger construction of claim 1 wherein each of the bends is a substantially 90° bend.

13. (new) The heat exchanger construction of claim 1 wherein each of the tube openings includes a peripheral flange on the interior side of the header plate.

14. (new) The heat exchanger construction of claim 1 wherein each of the long sides between the long edges and the bends of the tubes are substantially parallel to said first axis.

15. (new) The heat exchanger construction of claim 1 wherein any gaps between the long edges of the adjacent tubes are small enough to be filled with braze in a subsequent brazing operation so as to form a good joining between the long edges.